



City of Granite City

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Board of Appeals

MINUTES

September 4, 2013

The Granite City Board of Appeals met on Wednesday, September 4, 2013. Chairman Sam Akeman called the meeting to Order at 7:00 PM.

ROLL CALL

Members Present: Sam Akeman, Debbie Smith, Kayleen Johnston and Evelyn Harris. Excused absence: Kitty Reither. Unexcused absence: Kimberly Benda. Also present were: Aldermen Dan McDowell, Paul Jackstadt and Zoning Administrator, Steve Willaredt.

COMMENTS by Chairman

The Chair read aloud the letter of resignation from Board member, Debbie Smith, effective following this evening's meeting. On behalf of the Mayor and the City Council, he presented Debbie a plaque for her 13 years of dedication.

A **MOTION** to place on file the resignation letter was made by Evelyn Harris and seconded by Kayleen Johnson (Attachment A, copy available upon request). Voice vote. All ayes. Motion carried by unanimous consent.

WELCOME & SWEAR-IN

The Chair welcomed everyone and stated the Board of Appeals is a recommending body to the City Council and the Council will have final determination at the next regularly scheduled meeting on September 17, 2013. Petitioners and those who wished to speak, either for or against the Petitions, were sworn in.

MINUTES / AGENDA

The Chair called for a motion to approve the Minutes from the previously scheduled meeting held on June 5, 2013, and for this evening's Agenda. The motion was made by Kayleen Johnston and seconded by Evelyn Harris. Voice vote. All ayes. Motion carried.

PETITIONER (1): Wright-Price Properties
2126 Johnson Road
Parcel ID: 22-2-20-09-13-303-004

The Chair stated the Petition is a request for a 2 ½ ft. side setback variance to construct a lean to type carport in a District Zoned R-2. David Price came forth and explained; since the Petition was filed, a neighbor approached he and his partner with issues concerning the carport. Wright-Price then decided to go with construction of a covered, pitched, carport from the door and extending toward the side property line. Discussion followed.

Kevin Kielty, appeared before the Board and stated his residence is next door, 2122 Johnson Road. He began by stating he opposed the Petition. His reasons included: the narrow walkway to his backyard, difficulty with cutting the grass, gutters and the effect they may have with weather conditions, such as rain and ice. Mr. Kielty emphasized there is just not enough room between the properties.

The Zoning Administrator stated the property lines abutt each other and there is no easement in-between. Mr. Price wants the open-side of the carport to be within a couple feet of the property line. The City Ordinance for that residential district requires a 5 ft side setback, that is why the Petitioner is here this evening requesting a 2 ½ side setback variance.

Alderman Dan McDowell stated he has seen the work Wright-Price has performed and they do an excellent job.

The Petitioner assured the Board the carport will be gabled and would have guttering and is aware storm water cannot run-off to a neighboring residence.

The Zoning Administrator stated the *Board of Appeals Criteria* was met as follows:
The Board of Appeals shall not recommend any variance unless, based upon evidence presented, it is determined that: The proposed variance is consistent with the general purposes of the Zoning Code Article 1, Section 1-100; and strict application of the district requirements would result in great practical difficulties or hardship to the applicant, and prevent a reasonable return on the property; and the proposed variance is the minimum deviation from such requirements that will alleviate the difficulties or hardship, and allow a reasonable return on the property; and the plight of the applicant is due to peculiar circumstances not of his own making; and the circumstances of the variance request are not applicable to other property within the district, therefore, a variance would be a more appropriate remedy than an amendment or re-zoning; and the variance, if granted, will not alter the essential character of the area nor materially frustrate implementation of this municipality's comprehensive plan.

MOTION by Debbie Smith and seconded by Evelyn Harris to approve the Petitioner's request for a 2 ½ ft. side setback variance for construction of a gabled carport. Roll call vote. All ayes. Motion carried by unanimous consent.

PETITIONER (2): **Phillip Johnson**
 1236 Edwardsville Road
 Parcel ID: 22-2-20-19-18-303-006

The Petitioner introduced himself and stated his request is for a 8 ft. side setback variance to allow for a privacy fence. He said his residence is located on a busy intersection, 13th and Edwardsville Road. The Petitioner stated the family has privacy issues, as their residence is located near an industrial section of town and they want the privacy and security of a six foot fence.

The Petitioner's blueprint was discussed. He stated he would like to construct the new fence 2 ft. from the sidewalk on the 13th Street side of the property and explained some of the chain link fence would be replaced with the wood privacy fencing.

The Zoning Administrator said he saw no problem with impeding traffic and the same criteria was met as with the first Petitioner.

MOTION by Evelyn Harris and seconded by Debbie Smith to grant the setback variance and allow the fence to be constructed 2 ft. from the sidewalk on the 13th Street side of the property. Roll call vote. All ayes. Motion carried by unanimous consent.

PETITIONER (3): **Carrie Toth**
 2637 Edison Avenue
 Parcel ID: 22-2-20-18-12-201-010

The Petitioner, Carrie Toth, introduced herself and stated she is requesting a 1 ft. side setback variance for installation of a pre-fabricated, canopy- style, carport to shelter their 10 ft. camper. The carport will be installed to the side of the house and toward the back of their yard within an existing privacy fenced yard.

The Zoning Administrator said he has discussed the issue with Mrs. Toth and it was agreed the canopy would be with constructed with “boxed-in eaves” rather than the curved type. He added, he has no objections to the variance request. The Board’s criteria was met, the same as with the previous Petitioners this evening.

MOTION by Debbie Smith and seconded by Kayleen Johnston to approve the side setback variance request and allow the installation of the carport. Roll call vote. All ayes. Motion carried by unanimous consent.

NEW BUSINESS
None voiced.

UNFINISHED BUSINESS
None voiced.

Motion to adjourn by Evelyn Harris and seconded by Debbie Smith. All ayes.

Respectfully submitted,
Barbara Hawkins
Secretary
Board of Appeals

**BOARD OF APPEALS
ADVISORY REPORT
September 4, 2013**

PETITIONER (1): Wright-Price Properties
LOCATION: 2126 Johnson Road

REQUEST: 2 ½ ft. side setback variance request to allow for construction of a gabled carport abutted to the house. District Zoned R-2

MOTION by Debbie Smith and seconded by Evelyn Harris to approve the variance request for construction of a new gabled carport. Roll Call vote. All ayes. Motion carried.

Roll Call vote:

Sam Akeman	Yes	Kayleen Johnston	Yes
Debbie Smith	Yes	Evelyn Harris	Yes

PETITIONER (2): Phillip Johnson
LOCATION: 1236 Edwardsville Road

REQUEST: 8 ft. side setback variance request for privacy fence to be constructed 2 ft. from the sidewalk. garage extension to be constructed in front of existing garage. District Zoned C-5.

MOTION by Evelyn Harris and seconded by Debbie Smith to approve the 3 ft. setback variance request for construction of the new privacy fence. Roll Call vote. All ayes. Motion carried.

Roll Call vote:

Sam Akeman	Yes	Kayleen Johnston	Yes
Debbie Smith	Yes	Evelyn Harris	Yes

PETITIONER (3): Carrie Toth
2637 Edison Avenue

REQUEST: 1 ft. side setback variance request, left side of property, for construction of an open/canopy style carport to be located within privacy fenced area for “camper” shelter.

MOTION by Debbie Smith and seconded by Kayleen Johnston to approve the one ft. side setback variance request and allow the canopy style carport. Roll Call vote. All ayes. Motion carried.

Roll Call vote:

Sam Akeman	Yes	Kayleen Johnston	Yes
Debbie Smith	Yes	Evelyn Harris	Yes